GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:3087
ANSWERED ON:23.08.2006
DRAFT REGULATIONS FOR RECOGNITION OF NEW HOMOEOPATHIC COLLEGES
Barman Shri Hiten

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether draft regulations laying down the scheme of recognition of New Homoeopathic colleges, increase of seats and starting of new courses have been prepared and sent by the Central Council of Homoeopathy to the Government for approval;

(b) if so, the details thereof;

(c) whether the Government has sanctioned the said draft regulations by grossly changing them;

(d) if so, the details thereof;

(e) whether the Government is authorized under Homoeopathy Central Council Act, 1973 to unilaterally change the draft regulations without consulting the expert body i.e. the Central Council of Homoeopathy;

(f) if so, the details of the differences that exist between the said Central Council and Government in the matter and

(g) the steps taken by the Government to resolve the said issue?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE (SMT. PANABAKA LAKSHMI)

(a) & (b) Draft regulations laying down the procedure for grant of permission to new Homoeopathic colleges, the starting of higher courses of study and the increase in admission capacity were drafted by the Central Council of Homoeopathy and were submitted to the Government for approval. After approval of the Department of AYUSH and vetting by the Ministry of Law and Justice these Draft Regulations were sent to the Central Council of Homoeopathy (CCH) for formal notification.

(c) & (d) The Draft Regulations submitted by the CCH were carefully examined in the Department of AYUSH and it was found that there were a number of provisions which required to be amended so as to bring them in line with the provisions of section 12(A) of the HCC Act. These amendments were required because in their absence the very purpose for which section 12(A) had been introduced in the HCC Act i.e, the proper regulation of the opening of new Homoeopathic Medical Colleges, the starting of higher courses of study and the increase in admission capacity, would have been defeated.

(e) In terms of the provisions of section 20 and section 33 of the HCC Act any Regulation made under the HCC Act has to obtain the prior approval of the Central Government before it is notified.

(f) The Draft Regulations submitted by the CCH and the Draft Regulations which were approved by the Department of AYUSH differ with respect to the provisions regarding the area of a proposed Medical College; the necessity for a fully functional 50 bedded hospital; the application fee; the performance bank guarantee; the system for inspections; the academic year and the level at which cases were to be approved in the CCH.

(g) The CCH has violated the provisions of the HCC Act in not notifying the Draft Regulations which had been duly approved by the Department of AYUSH. The legal position has been brought to the notice of Central Council of Homoeopathy and they have been asked to notify the approved regulations.